

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

LINDA JOHNSTONE and L.D., by and	:	Case No. 1:22-cv-01111-BMB
through her mother, LINDA JOHNSTONE,	:	
individually and on behalf of a class of all	:	Judge Bridget Meehan Brennan
persons and entities similarly situated,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
CROSSCOUNTRY MORTGAGE, LLC,	:	
	:	
Defendant.	:	

**PLAINTIFFS' MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL**

Plaintiffs Linda Johnstone and L.D. respectfully request that the Court grant them leave to file Defendant's Telemarketing Policy (the "Policy") under seal. The policy is referenced as Exhibit 3 to the Declaration of Jonathan P. Misny, attached as Exhibit A to Plaintiffs' Reply Memorandum in Further Support of Motion for Class Certification, filed contemporaneously herewith.

The Policy has been designated as confidential by Defendant. Plaintiffs reached out to Defendant for its position as to why the Policy should be filed under seal. Defendant stated the Policy contains confidential and proprietary information that is not publicly known. According to Defendant, it carefully drafted the Policy in order to ensure compliance with applicable law, and permitting the public disclosure of the Policy would provide Defendant's competitors with access to its confidential commercial information and place Defendant at a competitive disadvantage. Defendant contends the Policy is not shared with the public is not shared with any third parties except for Defendant's business partners, who are under an ongoing obligation to securely store the Policy and to maintain it on a confidential basis. In addition, Defendant states

the Policy is securely stored within Defendant's internal operating system. Defendant asserts that if the Policy was placed into the public domain, it could have a material impact on Defendant and place it at a competitive disadvantage.

Plaintiffs do not believe the Telemarketing Policy is confidential but are not opposed to filing it under seal should the Court deem that appropriate. Accordingly, Plaintiffs request leave to file the Policy under seal in as an exhibit to their Reply Memorandum in Further Support of Motion for Class Certification.

Dated: May 13, 2024

Respectfully submitted,

/s/ Brian K. Murphy

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**CERTIFICATE OF SERVICE**

This is to certify that on May 13, 2024, I electronically filed the foregoing with the Clerk of Courts via the CM/ECF System, which will send notification of such filing to all counsel of record.

**/s/ Brian K. Murphy**  
Brian K. Murphy